

IN RE: PETITION FOR ZONING VARIANCE  
N/S John Street, 110' E of  
Halethorpe Avenue  
(4506 John Street)  
13th Election District  
1st Councilmanic District  
Petitioners  
Bruce G. Dickel, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-244-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 2 inches for an open projection (deck) in lieu of the required 7.5 feet in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. No Protestants appeared at the hearing.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of January, 1989 that the Petition for Zoning Variance to permit a side yard setback of 2 inches for an existing

open projection (deck) in lieu of the required 7.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

ANN:bjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
887-3353

J. Robert Haines  
Zoning Commissioner

January 10, 1989



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. Bruce G. Dickel  
4506 John Street  
Baltimore, Maryland 21227

RE: PETITION FOR ZONING VARIANCE  
N/S John Street, 110' E of Halethorpe Avenue  
(4506 John Street)  
13th Election District - 1st Councilmanic District  
Bruce G. Dickel, et ux - Petitioners  
Case No. 89-244-A

Dear Mr. & Mrs. Dickel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

cc: Mr. & Mrs. Robert Kidd  
2007 Halethorpe Avenue, Baltimore, Md. 21227

People's Counsel

File

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 13th  
Posted for: Variance  
Date of Posting: November 29, 1988  
Petitioner: Bruce G. Dickel, et ux  
Location of property: N/S John Street, 110' E of Halethorpe Avenue  
(4506 John Street)  
Location of Sign: In front of 4506 John Street  
Remarks:  
Posted by: J. Robert Haines  
Number of Signs: 1  
Date of return: December 3, 1988

#### ZONING DESCRIPTION

BEGINNING ON THE NORTHEASTERLY SIDE OF JOHN ST. 30 FEET WIDE, AT THE DISTANCE OF 130 FEET SOUTHEASTERLY OF THE CENTERLINE OF HALETHORPE AVE. BEING KNOWN AND DESIGNATED AS LOTS Nos. 43 and 44, BLOCK No. B. AS SHOWN ON A PLAT ENTITLED, "HALETHORPE TERRACE," WHICH PLAT IS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK W.P.C. No. 7, FOLIO 72. THE IMPROVEMENTS THERE ON BEING KNOWN AS No. 4506 JOHN STREET, IN THE 13TH ELECTION DISTRICT.

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., November 28, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 24, 1988.

ARBUSUS TIMES  
THE JEFFERSONIAN,

S. Zebe Ord

PO 05888  
reg 120473  
case 89-244-A  
price \$68.63 A+J

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
Case Number: 89-244-A  
N/S John Street, 110' E of Halethorpe Avenue  
(4506 John Street)  
13th Election District - 1st Councilmanic District  
Petitioner(s): Bruce G. Dickel, et ux  
Hearing Date: Tuesday, Dec. 20, 1988 at 2:00 p.m.

Variances to allow a side yard setback of 2 inches for an open deck in lieu of the required 7.5 feet, (for an open projection).

For an open projection of 2 inches for an open deck in lieu of the required 7.5 feet, (for an open projection).

Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: 12-2-88

Mr. & Mrs. Bruce G. Dickel  
4506 John Street  
Baltimore, Maryland 21227

Re: Petition for Zoning Variance  
CASE NUMBER: 89-244-A  
N/S John Street, 110' E of Halethorpe Avenue  
(4506 John Street)  
13th Election District - 1st Councilmanic District  
Petitioner(s): Bruce G. Dickel, et ux  
HEARING SCHEDULED: TUESDAY, DECEMBER 20, 1988 at 2:00 p.m.

Dear Mr. & Mrs. Dickel:

Please be advised that \$93.63 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 659702

DATE: 12-10-88 ACCOUNT: 8-01-015-000

AMOUNT: \$ 93.63

RECEIVED FROM: B. Dickel

FOR: Posting & Advertising (89-244-A)

VALIDATION OR SIGNATURE OF CASHIER

DATE: 12-10-88

FILE

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Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

November 9, 1988

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-244-A  
N/S John Street, 110' E of Halethorpe Avenue  
(4506 John Street)  
13th Election District - 1st Councilmanic District  
Petitioner(s): Bruce G. Dickel, et ux  
HEARING SCHEDULED: TUESDAY, DECEMBER 20, 1988 at 2:00 p.m.

Variances to allow a side yard setback of 2 inches (for an open deck) in lieu of the required 7.5 feet. (for an open projection).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Dickel

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#### PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1. to allow a side yard setback of 2 inches (for an open deck) in lieu of the required 7.5 feet (for an open projection).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. PRESSURE TREATED DECK HAS BEEN IN PLACE FOR 7 YEARS

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) BRUCE G. DICKEL  
Signature: Bruce G. Dickel  
Address: 4506 JOHN ST. 21227  
City and State: BALTO MD 27  
Attorney for Petitioner: (Type or Print Name) 4506 JOHN ST. 21227  
Signature: BRUCE DICKEL  
Address: 4506 JOHN ST. 21227  
City and State: BALTO MD 27  
Attorney's Telephone No.: 4506 JOHN ST. 21227

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of Dec. 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of Dec. 1988, at 2:00 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

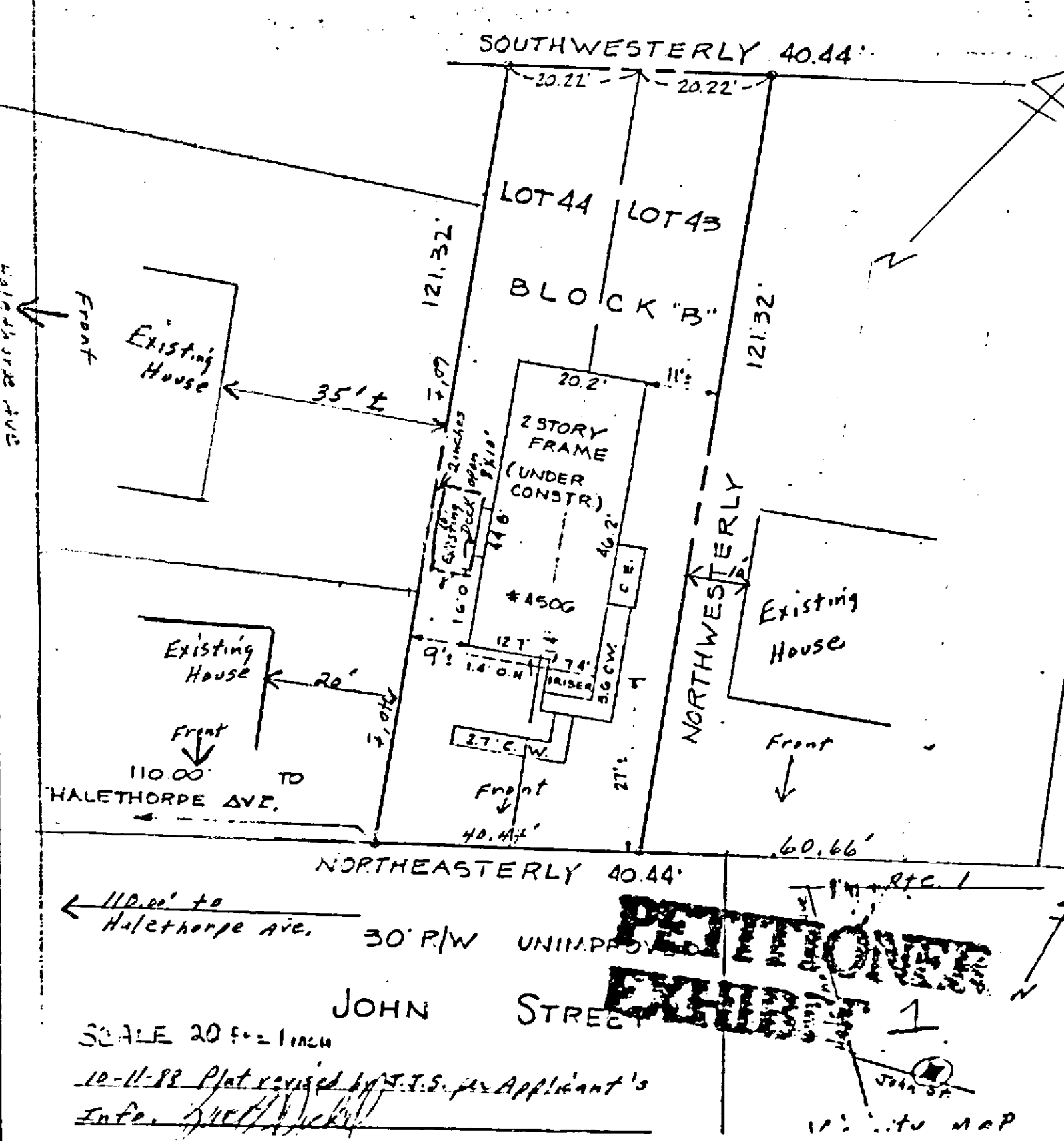
(over)

Owner: Bruce G. & Charlene A. Dickel  
Zoning: DR-5.5  
Existing utilities in John Street

Lot size: 4906 SQ FT ±  
13th. District #151

PLAT FOR ZONING VARIANCE  
Plat showing property known as 4506 John Street. Also known as Lots 43 and 44, Block B, as shown on the Plat of HALETHORPE TERRACE, which Plat is recorded among the Land Records of Baltimore County in Plat Book 7, Folio 72.

AREA OF LOT = 4870 SQ. FT. ±





89-244-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
26th day of October, 1988.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Bruce G. Dickel, et ux  
Petitioner's Attorney: \_\_\_\_\_  
Received by: James E. Dyer  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: J. Robert Haines  
Zoning Commissioner  
Date: December 7, 1988  
From: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Zoning Petition Nos. 89-214-A (Hofinger); 89-216-SPHA (Cvobe); 89-219-SPHA (Fowell); 89-222-SPH (Lawrence); 89-227-A (Dean); 89-232-A (McMillan); 89-234-A (Seven Courts); 89-242-A (Bacharach); and 89-244 (Dickel); 89-210-SPH (Bell)

The Office of Planning and Zoning has no comment on the above listed projects.

PK/sf

RECEIVED  
DEC 8 1988

ZONING OFFICE

Baltimore County  
Fire Department  
Towson, Maryland 21204-2536  
494-4500

Paul H. Reincke  
Chief

December 2, 1988

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Property Owner: Bruce G. Dickel, et ux

Location: NS John St., 110' E. of Halethorpe Avenue

Item No.: 151

Zoning Agenda: Meeting of 10/25/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller*  
Planning Group  
Special Inspection Division

NOTED & APPROVED: *James E. Dyer*  
Fire Prevention Bureau

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 14, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

000

Mr. & Mrs. Bruce G. Dickel  
4506 John Street  
Baltimore, Maryland 21227

RE: Item No. 151, Case No. 89-244-A  
Petitioner: Bruce G. Dickel, et ux  
Petition for Zoning Variance

Dear Mr. & Mrs. Dickel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

Enclosures

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
494-3354

October 29, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 440, 58, 102, 128, 144, 145, 147, 150, 151, 154, 155, 156, and 157.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Engineering Associate

MSF/lvw

RECEIVED  
NOV 9 1988  
ZONING OFFICE

cc: Mr. & Mrs. Dickel  
12-8-88

CPS-003